

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JFW

In re Patent Application of

SHIBATA et al

Serial No. 10/690,664



Atty Dkt. 2018-795

C# M#

P/C/A.U.

3748

Examiner: J. Corrigan

Date: April 20, 2005

Filed: October 23, 2003

Title: ACTUATOR HAVING DRIVE CAM AND VALVE LIFT CONTROLLER USING THE ACTUATOR

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

RESPONSE

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.**Fees are attached as calculated below:**

Total effective claims after amendment	0	minus highest number	
previously paid for	20	(at least 20) =	0 x \$50.00
			\$0.00 (1202) / \$0.00 (2202) . \$

Independent claims after amendment	0	minus highest number	
previously paid for	3	(at least 3) =	0 x \$200.00
			\$0.00 (1201) / \$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1051) / \$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251) / \$60.00 (2251)

Two Month Extensions \$450.00 (1252) / \$225.00 (2252)

Three Month Extensions \$1020.00 (1253) / \$510.00 (2253)

Four Month Extensions \$1590.00 (1254) / \$795.00 (2254) \$

Terminal disclaimer enclosed, add	\$130.00 (1814) / \$65.00 (2814) \$
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Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee	\$180.00 (1806) \$
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Assignment Recording Fee	\$40.00 (8021) \$
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Other:	\$
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TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
LSN:vc

NIXON & VANDERHYE P.C.
By Atty: Larry S. Nixon, Reg. No. 25,640

Signature: Larry S. Nixon



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

SHIBATA et al Atty. Ref.: 2018-795; Confirmation No. 5894

Appl. No. 10/690,664 TC/A.U. 3748

Filed: October 23, 2003 Examiner: J. Corrigan

For: ACTUATOR HAVING DRIVE CAM AND VALVE LIFT CONTROLLER USING THE ACTUATOR

* * * * *

April 20, 2005

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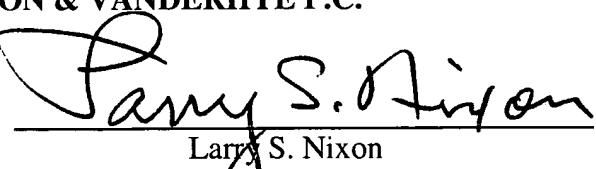
Sir:

RESPONSE

In response to the Office Action dated 03/25/2005 finding that the applicant has claimed two patentably distinct species (i.e., no one of which is made "obvious" in view of the other under 35 U.S.C. §103), applicant hereby elects for further substantive examination the patentably distinct Species I associated with Figure 1 and on which at least claims 1-4 and 6-8 are readable.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Larry S. Nixon
Reg. No. 25,640

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